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FAX TRANSMISSION

OFFICIAL

DATE: May 27, 2004

PTO IDENTIFIER: Application Number 10/077406-Conf. #4141
Patent Number

Inventor: Jeffrey L. BROWNING et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

FROM: LAHIVE & COCKFIELD, LLP

Amy E. Mandragouras

PHONE: (617) 227-7400

Attorney Dkt. #: BGNB191CPUSDV

PAGES (Including Cover Sheet): 13

CONTENTS:

Petition to Revive Application Unintentionally Abandoned (2 pages);
Copy of Notice of Abandonment (1 page);
Copy of Notice to File Corrected Application Papers (2 pages);
Response to Notice to File Corrected Application Papers (3 pages, including Appendix A);
Abstract (1 page);
Certificate of Transmission under 37 CFR 1.8 (1 page);
Fee Transmittal, in duplicate (2 pages).

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 227-7400 and send the original transmission to us by return mail at the address below.

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LAHIVE & COCKFIELD, LLP
28 State Street, Boston, Massachusetts 02109
Telephone: (617) 227-7400 Facsimile: (617) 742-4214

BEST AVAILABLE COPY

PTO/SB/97 (12-97)

Approved for use through 9/30/00 OMB 0851-0031

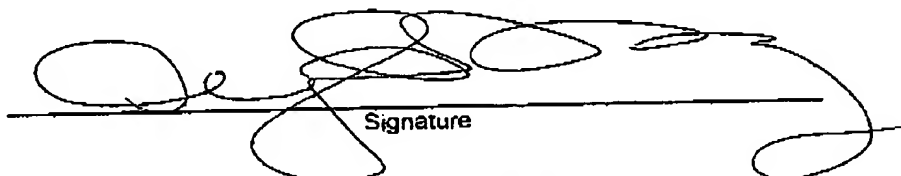
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Certificate of Transmission Under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on May 27, 2004
Date


Signature

Amy E. Mandragouras
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper

Petition to Revive Application Unintentionally Abandoned (2 pages);
Copy of Notice of Abandonment (1 page);
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Response to Notice to File Corrected Application Papers (3 pages,
including Appendix A);
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Fee Transmittal (1 page).
Charge \$1,330.00 to deposit account 12-0080

PTO/SB/64 (11-03)

Approved for use through 07/31/2006 OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)****Docket Number (Optional)**
BGNB191CPUSDV

First named inventor: Jeffrey L. BROWNING

Application No: 10/077406-Conf. #4141

Art Unit: N/A

Filed: February 15, 2002

Examiner: Not Yet Assigned

Title: Methods for Inhibiting Lymphotoxin-Beta Receptor Signalling

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450NOTE If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.The above-identified application became abandoned for failure to file a timely and proper reply to a notice or
action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration
date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items.

- (1) Petition fee.
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☐ Small entity - fee \$ _____ (37 CFR 1.17(m)) Applicant claims small entity status
See 37 CFR 1.27☒ Other than small entity - fee \$ 1,330.00 (37 CFR 1.17(m))**2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in
the form of Response to Notice to File Corrected (identify type of reply).☐ has been filed previously on _____
☒ is enclosed herewith

B. The issue fee of \$ _____

☐ has been paid previously on _____
☐ is enclosed herewith.

PTO/SB/64 (11-03)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee



Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.



A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional (NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))).

May 27, 2004

Date

Signature

Telephone
Number:

(617) 227-7400

Amy E. Mandragouras - 36,207

Typed or printed name

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
Address

Enclosures:



Fee Payment



Reply, including Appendix A



Terminal Disclaimer Form



Additional sheets containing statements establishing unintentional delay

Other: Abstract, Fee Transmittal, Copy of Notice to File Corrected Application
Papers, Copy of Notice of Abandonment

Page 2 of 2

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306, on the date shown below.

Dated: May 27, 2004

Signature

(Amy E. Mandragouras)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 37(C) DATE	FIRST NAMED APPLICANT	ATTY DOCKET NO./TITLE
10/077,406	02/15/2002	Jeffrey L. Browning	B191 US CP DIV

000959
LAHIVE & COCKFIELD, LLP.
28 STATE STREET
BOSTON, MA 02109

CONFIRMATION NO. 4141
ABANDONMENT/TERMINATION
LETTER

OC000000011732106

Date Mailed: 01/21/2004

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 12/09/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

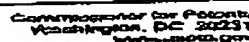
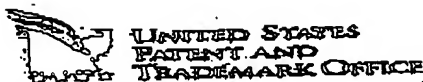
Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/077 406	02/15/2002	Jeffrey L. Browning	B191 US CP DIV

CONFIRMATION NO. 4141

Niki D. Cox, Esq.
BIOGEN, INC.
14 Cambridge Center
Cambridge, MA 02142

FORMALITIES LETTER



"OC000000009214874"

Date Mailed: 12/09/2002

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- o An abstract of the technical disclosure not exceeding 150 words in length and commencing on a separate sheet in compliance with 37 CFR 1.72(b) is required. An abstract was not provided for this application

The following item(s) appear to have been omitted from the application:

- o Page(s) 54-56 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit must be filed within TWO MONTHS of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date must be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted item(s) and the petition (and petition fee) requesting the later filing date.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the

application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Jeffrey L. Browning *et al.*

Serial No.: 10/077406

Filed: February 15, 2002

For: *Methods For Inhibiting Lymphotoxin Beta
Receptor Signalling*

Attorney Docket No.: BGNB191CPUSDV

Group Art Unit: Not yet assigned

Examiner: Not yet assigned

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MAY 27 2004

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Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no (703) 872-9306, on the date shown below.

Dated May 27, 2004

Signature

(Amy E. Madragonas)

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Dear Sir:

In response to the Notice to File Corrected Application Papers dated December 9, 2002, Applicants submit the following required item: an abstract.

In response to the omitted items described in the Notice to File Corrected Application Papers, Applicants point out that pages 54-56 of the specification contained a partial sequence listing, specifically SEQ ID NO: 1. In order to facilitate prosecution and prevent a Notification For Failure To Comply due to submission of the partial sequence listing found at pages 54-56 of the specification, Applicants filed a complete sequence listing, including SEQ ID NO: 1, with the application on February 15, 2002. Thus, pages 54-56 of the specification were not omitted, but rather the information contained in these pages was included in the sequence listing as filed. Applicants respectfully request that the pages be re-numbered accordingly.

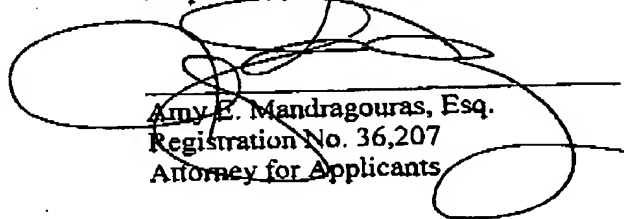
U.S. Serial No. 10/077,406
Att. Docket No. BGNB191CPUSDV

Art Unit: N/A

Applicants respectfully point out that the above-identified application was filed as a divisional application pursuant to 37 CFR 1.53(b). Accordingly, under 35 U.S.C. 121, Applicants are entitled to the benefit of the filing date of the original application, *i.e.*, U.S. Application No. 09/000,166, filed June 8, 1998 as a § 371 application of PCT/US96/12010, filed July 19, 1996. The abstract being submitted herewith is believed to be a copy of the abstract as filed. A copy of the postcard attached herewith as Appendix A indicates that an abstract was received upon filing on February 15, 2002.

The Commissioner is authorized to charge the appropriate petition fee of \$130.00, as well as the appropriate extension fee. Please charge any additional fees required for this petition or credit any overpayments to our Deposit Account No. 12-0080.

Respectfully submitted,



Amy E. Mandragouras, Esq.
Registration No. 36,207
Attorney for Applicants

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, MA 02109
Tel. (617) 227-7400

Dated: May 27, 2004

Appendix A

MAR 06 2002

Title: METHODS FOR INHIBITING LYMPHOTOXIN-BETA RECEPTOR SIGNALING (As Amended)Serial No. Unassigned (Div. of 09/000,166)Applicant: Jeffrey I. Browning et al.

In the above matter, the following have been received by the US Patent and Trademark Office on the date stamped hereon.

☒ Express Mail Label No. EL 798594305US☒ Application incl. 68 pages53 pp. of specification8 pp. of claims (# of claims- 69)1 pp. of abstract6 sheets of drawings; Figs. 1-10☐ Provisional Application Cover Sheet☒ Declaration/Power of Attorney (Unsigned)☐ Copy of Notice to File Missing Parts☐ Request for filing RCE☒ IDS, PTO-1449 and references (Supp.)

- ☒ Certificate of Mailing under 37 CFR
☐ Response to Office Action/Restriction
☐ Petition for month extension of time
☒ Assignment and Cover Sheet
☒ Amendment (☒ Preliminary After Final)
☐ Notice of Appeal
☐ Appellant's Brief (implicate X Reply Brief)
☐ Letter to Chief Draftsperson
☐ Issue Fee
☒ Transmittal Letter
☒ Deposit Account Authorization \$

☒ Other: Copy of Statement and Paper Sequence Listing;☒ Other: Copy of Assignment Recordation;Mailing Date: 15 February 2002 Docket No. B191 CP DIV Atty/asst: NDC/lss

PTO/SB/17 (10-03)

Approved for use through 7/31/2006 OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004				Complete if Known																																																																																																																																																																																																										
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unavoidable</td><td></td></tr> <tr><td>1453</td><td>1,330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>1501</td><td>1,330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr> <tr><td>1480</td><td>130</td><td>1480</td><td>130</td><td>Persons to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>1809</td><td>180</td><td>1809</td><td>180</td><td>Submission of Information Disclosure Sheet</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="4">Other fee (specify)</td><td>1454</td><td>Acceptance of an unintentionally delayed claim for priority</td><td>1,330.00</td></tr> <tr> <td colspan="4"></td> <td colspan="2">*Reduced by Basic Filing Fee Paid</td> <td></td> </tr> <tr> <td colspan="4"></td> <td colspan="2">SUBTOTAL (3)</td> <td>\$ 1,330.00</td> </tr> </tbody> </table>				Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet		1053	130	1053	130	Non-English specification		1812	2,520	1812	2,520	For filing a request for ex parte reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1,480	2254	740	Extension for reply within fourth month		1255	2,010	2255	1,005	Extension for reply within fifth month		1401	330	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1,510	1451	1,510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - unavoidable		1453	1,330	2453	665	Petition to revive - unintentional		1501	1,330	2501	665	Utility issue fee (or reissue)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1480	130	1480	130	Persons to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.17(q)		1809	180	1809	180	Submission of Information Disclosure Sheet		8021	40	8021	40	Recording each patent assignment per property (times number of properties)		1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify)				1454	Acceptance of an unintentionally delayed claim for priority	1,330.00					*Reduced by Basic Filing Fee Paid							SUBTOTAL (3)		\$ 1,330.00
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1812	2,520	1812	2,520	For filing a request for ex parte reexamination																																																																																																																																																																																																										
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																										
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																																																										
1251	110	2251	55	Extension for reply within first month																																																																																																																																																																																																										
1252	420	2252	210	Extension for reply within second month																																																																																																																																																																																																										
1253	950	2253	475	Extension for reply within third month																																																																																																																																																																																																										
1254	1,480	2254	740	Extension for reply within fourth month																																																																																																																																																																																																										
1255	2,010	2255	1,005	Extension for reply within fifth month																																																																																																																																																																																																										
1401	330	2401	165	Notice of Appeal																																																																																																																																																																																																										
1402	330	2402	165	Filing a brief in support of an appeal																																																																																																																																																																																																										
1403	290	2403	145	Request for oral hearing																																																																																																																																																																																																										
1451	1,510	1451	1,510	Petition to institute a public use proceeding																																																																																																																																																																																																										
1452	110	2452	55	Petition to revive - unavoidable																																																																																																																																																																																																										
1453	1,330	2453	665	Petition to revive - unintentional																																																																																																																																																																																																										
1501	1,330	2501	665	Utility issue fee (or reissue)																																																																																																																																																																																																										
1502	480	2502	240	Design issue fee																																																																																																																																																																																																										
1503	640	2503	320	Plant issue fee																																																																																																																																																																																																										
1480	130	1480	130	Persons to the Commissioner																																																																																																																																																																																																										
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)																																																																																																																																																																																																										
1809	180	1809	180	Submission of Information Disclosure Sheet																																																																																																																																																																																																										
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																										
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																																										
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																																										
1801	770	2801	385	Request for Continued Examination (RCE)																																																																																																																																																																																																										
1802	900	1802	900	Request for expedited examination of a design application																																																																																																																																																																																																										
Other fee (specify)				1454	Acceptance of an unintentionally delayed claim for priority	1,330.00																																																																																																																																																																																																								
				*Reduced by Basic Filing Fee Paid																																																																																																																																																																																																										
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Name (Print Type) Amy E. Mandragouras				Registration No. 38,207		Telephone (617) 227-7400																																																																																																																																																																																																								
Signature				Date		May 27, 2004																																																																																																																																																																																																								

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9306, on the date shown below.

Dated: May 27, 2004

Signature

(Amy E. Mandragouras)

PTO/SB/17 (10-03)
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FEE TRANSMITTAL for FY 2004		Complete if Known																																																																																																																																																																																																					
<small>Effective 10/01/2003, Patent fees are subject to annual revision</small>		Application Number	10/077406-Conf. #4141																																																																																																																																																																																																				
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		First Named Inventor	Jeffrey L. BROWNING																																																																																																																																																																																																				
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I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9308, on the date shown below.																																																																																																																																																																																																							
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